MOTION FILED
FEB 6 - 1987

No. 86-1115

IN THE
Supreme Court of the United States
OCTOBER TERM, 1986

THE LOUISIANA LAND AND EXPLORATION COMPANY,
Petitioner,

v.

TEXACO, INC.,
Respondent.

On Petition for a Writ of Certiorari to the Supreme Court of Louisiana

MOTION FOR LEAVE TO FILE BRIEF AMICUS CURIAE AND BRIEF AMICUS CURIAE OF LOUISIANA LANDOWNERS ASSOCIATION, INC. IN SUPPORT OF PETITION FOR WRIT OF CERTIORARI OF THE LOUISIANA LAND AND EXPLORATION COMPANY

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February 6, 1987

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MOTION OF LOUISIANA LANDOWNERS ASSOCIATION, INC. FOR LEAVE TO FILE AMICUS CURIAE BRIEF IN SUPPORT OF PETITION OF THE LOUISIANA LAND AND EXPLORATION COMPANY FOR WRIT OF CERTIORARI

LOUISIANA LANDOWNERS ASSOCIATION, INC. respectfully requests leave to submit the attached amicus curiae brief in support of the petition of The Louisiana Land and Exploration Company for writ of certiorari to the Supreme Court of Louisiana in the above-captioned case. Consent for the filing of this brief has been sought from counsel to all parties. Counsel to Petitioner Louisiana Land and Exploration Company has consented to the

filing of this brief. Counsel to Respondent Texaco, Inc. has not consented to the filing of this brief.

Louisiana Landowners Association, Inc. is an association of over 300 royalty owners who are paid royalties for natural gas pursuant to mineral leases affecting their lands. These royalties are generally paid based upon the value of gas produced and sold by the producer/lessees. As such, the applicant is in a position to appreciate, and to bring to the Court's attention, the concerns of mineral interest owners generally regarding the broad impact and importance of the ruling of the Louisiana Supreme Court in this case.

WHEREFORE, the applicant requests that the Court grant this motion for leave to file the accompanying amicus curiae brief.

Respectfully submitted,

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BRIEF AMICUS CURIAE OF LOUISIANA LANDOWNERS ASSOCIATION, INC. IN SUPPORT OF PETITION FOR WRIT OF CERTIORARI OF THE LOUISIANA LAND AND EXPLORATION COMPANY

LOUISIANA LANDOWNERS ASSOCIATION, INC. submits this brief as amicus curiae in support of the petition for writ of certiorari of The Louisiana Land and Exploration Company.

INTEREST OF AMICUS CURIAE

Louisiana Landowners Association, Inc. is an association of over 300 royalty owners who receive mineral royalties on natural gas pursuant to mineral leases affecting their lands. Those royalties are generally paid based upon the value of gas produced and sold by the producer/lessees. The Louisiana Landowners Association, Inc. therefore has a substantial interest in how the federal Natural Gas Policy Act of 1978, 15 U.S.C. § 3301 *et seq.* (the "NGPA"), is interpreted and applied to the regulation of intrastate and interstate prices of natural gas.

ARGUMENT

Louisiana Landowners Association, Inc. is an association of over 300 royalty owners who derive mineral royalties from granting mineral leases affecting their property to producers of oil and natural gas. Those producers are frequently before Louisiana or United States courts for resolution of disputes arising out of the price restrictions imposed by the NGPA. Often, vast economic consequences to the parties to these proceedings may result from a particular interpretation of the NGPA. The attendant impact on the membership of the Louisiana Landowners Association, Inc. and other lessors, including the State of Louisiana, may be momentous.

The question presented by this case is one of those bearing great significance to the Louisiana Landowners Association, Inc. If the interpretation of the NGPA is upheld, it could cost all royalty owners, public and private, who are citizens of the State of Louisiana, millions of dollars. That there is substantial room for disagreement over this interpretation is evidenced by the fact that two lower Louisiana courts and a minority of the Louisiana Supreme Court had a very different view. Given the importance and uncertainty with respect to

this issue, the Louisiana Landowners Association, Inc. urges the United States Supreme Court to accept this case for review.

Respectfully submitted,

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